

ORDINANCE 717-01-19

AN ORDINANCE REPEALING ORDINANCE 600-05-14 AND ADOPTING A NEW CREDIT CARD USE POLICY, AND NOT DECLARING AN EMERGENCY

WHEREAS, the Village Council passed ordinance 600-05-14 adopting a credit card use policy.

WHEREAS, The State of Ohio has passed legislation establishing new requirements for municipal credit cards.

NOW, THEREFORE, BE IT ORDAINED by the Council of the Village of Roaming Shores, Ashtabula County, Ohio,

SECTION 1. That Ordinance 600-05-14 attached hereto as Exhibit A is hereby repealed.

SECTION 2. That the new Credit Card Use Policy is adopted as follows:

Section 1. Village Credit Card Authorization

- 1) Village Council shall approve by ordinance the individuals within the Village who shall have authority to use the Village credit cards. This list shall be updated at least annually. No employee shall be authorized to allow another employee or individual to utilize a credit card without authorization. The current list of authorized users is as follows:

- a) Clerk/Treasurer
- b) Chief of Police
- c) Village Administrator

- 2) Village Council shall pass a resolution each year for the authorization for Village credit cards with an estimated monthly dollar amount to be used. This monthly amount shall not be binding and actual purchasing shall be based upon the needs of the Village.

Currently, the limit on each credit/debit card shall be up to \$1,000.00 per month. Emergency purchases exceeding this amount require joint prior authorization from the Mayor and Clerk/Treasurer.

- 3) The credit cards shall be permitted to be utilized both in person as well as the purchase of goods over the internet, by telephone or by fax. These purchases must be evidenced by a valid purchase order along with either the original packing slip that accompanied the purchased goods or an itemized receipt. When using the internet, the user shall insure that the website requesting the credit card information is secure.

Section 2. Village Credit Card Use by Employees

- a) The following guidelines are established to assure the proper use of the Village credit cards.

1) A credit card held by the Village shall be used only to pay the following work-related expenses:

Food expenses, transportation expenses, gasoline/oil expenses (Village vehicles), motor vehicle repair/maintenance expenses (Village vehicles), telephone expenses, lodging expenses, internet service provider expenses. (All per diem amounts and restrictions within the travel policy are still applicable.)

2) Absolutely no personal use of the card is allowed. Personal purchases include: gratuities and excess daily meal allowance; gasoline for any personal vehicle; cash advances; alcoholic beverages.

3) All existing purchasing policies apply to purchases made on a credit card.

- b) No fees or interest charged by a card company because of late payments due to untimely submission of record will be paid from Village funds, unless authorized by Village Council. Unauthorized payment of fees will be the responsibility of the employee who utilized the card, who will be personally responsible for those fees if they appear on the billing for their department.
- c) The Clerk/Treasurer is responsible for making sure that any charges incurred by employees are authorized Village expenditures and that adequate funds are available within the Village approved budget.
- d) The debit incurred as a result of the use of a credit/debit card shall be paid from monies appropriated to the specific appropriation line items of the Village of Roaming Shores, Ohio.
- e) For all credit card transactions, the employee or official using a Village card shall submit to the Clerk/Treasurer documentation sufficient to satisfy Internal Revenue Service requirements for employee business expenses. This documentation will include the credit card slip (customer copy) along with a receipt or invoice from the vendor that documents the goods or services purchased, the cost of the goods or services and the date of the purchase. Each receipt will also indicate the official Village business for which the expense was incurred.
- f) The individual authorized to make such purchases or returns will be liable for payment of any undocumented items presented on an invoice for payment. Individual liability is imposed for inappropriate use pursuant to the procedure established in ORC 301.27 and 301.29. If within thirty (30) days after issuance of a written notice of the amount shown on the written notice, the Prosecuting Attorney shall recover that amount from the cardholder by civil action in any court of appropriate jurisdiction.

- g) Violations will be cause for immediate revocation of authorization to use a credit card or procurement card and may result in disciplinary action up to and including termination.
- h) If the card is issued in the name of a specific officer or employee, that officer/employee is liable in person and upon any official bond the officer/employee has given to the Village to reimburse the Village for the amount improperly charged.
- i) If the Village suspects the loss, theft, or possibility of unauthorized use of the card, the officer/employee shall notify the Mayor and Village Council immediately in writing.
- j) The Clerk/Treasurer shall notify Village Council immediately if they determine there has been an improper credit card expenditure.
- k) The Clerk/Treasurer is responsible for the physical custody of the card, and for maintaining confidentiality of all information relating to the card such as the account number and expiration date. That card is not to be loaned to anyone or used by anyone other than the person designated to do so. The cardholder will sign a written acknowledgment indicating that the cardholder understands the intent of the program and agrees to adhere to the policy and guidelines established by the Village. The Village will retain the signed acknowledgement and maintain a current record of all cardholders.
- l) All expenditures made using the Village credit card should be tax-exempt from Ohio sales tax. Employees are responsible for informing vendors of the sales tax exemption. If requested by a vendor, a State of Ohio sales tax exemption certificate is available from the Clerk/Treasurer's office.
- m) The Clerk/Treasurer should retain a list of all employees authorized to use the card.
- n) The situation may arise where there is a problem with a purchased item or service. Examples include broken merchandise, the billed amount does not match the quote, the billed amount includes sales tax, the statement contains a charge not recognized by the authorized individuals, or the statement contains duplicate charges from a vendor. In these instances, the individual should try to resolve the dispute with the supplier or merchant. If the purchased item needs to be returned for any reason, send the item back to the supplier and request a credit to the account card. The individual should notify the Clerk/Treasurer so he/she can verify that the credit appears on a subsequent statement. The Village cannot accept cash or a rain check instead of a vendor credit. If the dispute cannot be resolved, the individual should contact the Clerk/Treasurer.
- o) In the event that a credit card is lost or stolen, the individual holding the card must notify the card issuer immediately. Further use of the card will be blocked. Prompt action will reduce the liability for fraudulent charges. The individual must confirm the phone call by written notification to the card issuer via mail or fax, with copies promptly given to the Clerk/Treasurer. The date and time of the phone report of the lost

or stolen card shall be included in the written notification. The Village will initiate issuance of a replacement card.

- p) Cardholders who terminate their employment or whose job duties change and no longer include purchasing must surrender their credit card immediately.

SECTION 3. That it is hereby found and determined that all formal actions of this Council concerning and relating to the adoption of this ordinance were adopted in an open meeting of this Council and that all deliberations of this Council and of any of its committees that resulted in those formal actions were in meetings open to the public, in compliance with all legal requirements including Section 121.22 of the Ohio Revised Code.

SECTION 4. That this ordinance is not an emergency and shall not take effect until thirty (30) days after its passage.

PASSED this _____ day of _____, 2019.

Jennie D'Amicone, Mayor

ATTEST:

Leeann Moses, Clerk/Treasurer

Kyle B. Smith, Solicitor